

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.17187 of 2004

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ORAL ORDER:

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This writ petition is filed seeking Certiorari to call for the records in D.Dis.(E) 1607/2004 dated 6.9.2004 of the first respondent and quash the same as arbitrary and illegal.

It appears, petitioner was the fair price shop dealer of Raghavapuram village, Kota mandal, Nellore district. While so, his authorisation was cancelled by the third respondent by order dated 15.4.2002 after conducting a detailed enquiry into the matter. Aggrieved by the same, petitioner carried the matter in appeal before the second respondent. However, the second respondent dismissed the same by order dated 8.8.2002. Aggrieved thereby, petitioner filed revision before the first respondent and the same was also dismissed by impugned proceedings dated 6.9.2004. Aggrieved by the same, the present writ petition is filed.

There is no necessity of going into all the details.

The charge No.4 against the petitioner is that the Fair Price Shop dealer should maintain the records and register properly, that he has issued 1020 kgs. of JGSY rice to the contractor without obtaining coupons from the workers and thus violated Clause 16(i) of A.P. Scheduled Commodities (RDCS) Order, 1973. The petitioner submitted his explanation stating that the rice under JGSY rice has to be supplied to the cardholders through coupons, but the Sarpanch of the village showed his political power and taken away the rice stating that he will produce coupons afterwards.

Whether the petitioner has committed irregularity on his own or at the behest of the Sarpanch, it is one and the same. The petitioner is

not supposed to give away the rice to Sarpanch on the promise made by him that he will produce the coupons afterwards. May be the Sarpanch also supported his case in the enquiry, I am of the opinion that this itself is enough to say that the petitioner has committed irregularities in supplying rice of 1020 kgs. without collecting coupons. Third respondent has rightly cancelled the authorisation of petitioner against Fair Price Shop of Raghavapuram village, which was confirmed by the second respondent and further confirmed by the first respondent. The writ petition is devoid of merits and liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

C.V.RAMULU,
J

Date: 27.11.2006

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27.11.2006

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.17187 of 2004

Date: 27th November, 2006

Between:

M.Dasaiah

.. Petitioner

And

The District Collector,
Civil Supplies Wing,
Nellore district & others.

.. Respondents